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**SUBSTITUTE SENATE BILL 5844**

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**State of Washington**

**60th Legislature**

**2007 Regular Session**

**By** Senate Committee on Natural Resources, Ocean & Recreation  
(originally sponsored by Senators Roach, Jacobsen, Rockefeller,  
Rasmussen and Sheldon)

READ FIRST TIME 02/27/07.

1 AN ACT Relating to specialized forest products and specialty wood;  
2 amending RCW 76.48.130; creating a new section; and providing an  
3 expiration date.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

5 **Sec. 1.** RCW 76.48.130 and 1995 c 366 s 13 are each amended to read  
6 as follows:

7 (1) A person who violates a provision of this chapter, other than  
8 the provisions contained in RCW 76.48.120, as now or hereafter amended,  
9 is guilty of a gross misdemeanor and upon conviction thereof shall be  
10 punished by a fine of not more than one thousand dollars or by  
11 imprisonment in the county jail for not to exceed one year or by both  
12 a fine and imprisonment.

13 (2) In any prosecution for a violation of this chapter's  
14 requirements to obtain or possess a specialized forest products permit  
15 or true copy thereof, an authorization, sales invoice, or bill of  
16 lading, it is an affirmative defense, if established by the defendant  
17 by a preponderance of the evidence, that: (a) The specialized forest  
18 products were harvested from the defendant's own land; or (b) the

1 specialized forest products were harvested with the permission of the  
2 landowner.

3 NEW SECTION. **Sec. 2.** (1) The specialized forest products work  
4 group is established. The work group must consist of appropriate  
5 representation from: The department of natural resources; county  
6 sheriffs; county prosecutors; industrial and small forest landowners;  
7 tribes; recreational and professional wood carvers; cedar and specialty  
8 wood processors; and other appropriate persons invited by the  
9 commissioner of public lands.

10 (2) The specialized forest products work group must review the  
11 current specialized forest products statute, chapter 76.48 RCW, as well  
12 as applicable theft laws. The specialized forest products work group  
13 must evaluate the statute, as well as its application, and make  
14 recommendations, if any, to ensure that the specialized forest products  
15 requirements: Provide reasonable tools for law enforcement and  
16 reasonably protect landowners from theft; are not unduly burdensome to  
17 harvesters, those possessing or transporting specialized forest  
18 products, or cedar or specialty wood processors or buyers; are clear  
19 and may be readily understood by law enforcement and the public; and  
20 are administered and enforced consistently throughout the state.

21 (3) The specialized forest products work group must be staffed by  
22 the department of natural resources.

23 (4) The specialized forest products work group must provide a  
24 report to the appropriate committees of the legislature containing its  
25 recommendations, as well as draft legislation implementing its  
26 recommendations, by December 1, 2007.

27 (5) This section expires July 1, 2008.

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